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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/682,542	10/09/2003	Susie J. Wee	200315123-1	8755

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EXAMINER

BAUTISTA, XIOMARA L

ART UNIT

PAPER NUMBER

2179

DATE MAILED: 03/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/682,542

Applicant(s)

WEE ET AL.

Examiner

X. L. Bautista

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed on February 27, 2006 have been fully considered but they are not persuasive.

A. Applicant argues, with respect to claim 1, that “*Brin* does not disclose communication among a set of rich media environments...*Brin* discloses a communication among a set of user terminals...the user terminals...of *Brin* do not anticipate a set of rich media environment...because a rich media environment, as claimed...includes an arrangement of sensing and rendering components for covering a set of individuals present in the rich media environment whereas a user terminal as taught by *Brin* includes a keyboard and display and mouse for interaction with a single user...the examiner has mistaken the world view 700...of *Brin* as a physical environment...the world view 700 of *Brin* is not a physical environment... the elements 320 in the world view 700 of *Brin* do not represent the physical locations of individuals...elements 320 of *Brin* are a software emulation of conversation characteristics of individual users of the user terminals 100” (page 9, lines 8-33.).

In response, Claim 1 (lines 3-6) recites, a set of one or more rich media environments...having a corresponding arrangement of sensing and rendering components for covering a set of individuals present in the corresponding rich media

environment. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., physical environment) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

According to claim 1, only one rich media environment having a device for sensing and rendering is necessary, and Brin teaches a system that enables users to perceive proximity and orientation of another participant, such as the emphasis by a speaker; Brin teaches filtering conversations, detecting multiple interactions among participants present in the environment. According to claim 1, two or more users can be virtually or physically present, or just participating in a conference communication, and not necessarily in one room or in the same building. Brin discloses an interactive communication between a plurality of users in which users are enabled to perceive and control multiple real-world characteristics of conversations. In order to communicate, users must be present and connected to a network by using a communication device.

B. Applicant argues, "claim 1 is not anticipated by Brin because Brin does not disclose detecting multiple communication interactions among a set of individuals present in rich media environment...Brin does not disclose capturing a set of media

data from the sensing components for each of a set of interest threads and combining the captured media data in response to the activities of individuals associated with the interest threads...Brin does not disclose detecting multiple communication interactions as claimed..." (page 10, lines 2-15).

In response, Brin discloses a set of individuals participating in an interactive communication wherein the system detects (senses) communication interactions among the participants present in the environment. Brin teaches that the system detects movement, orientation, position, proximity, gestures, word stress, changing tone, etc. (see pages 2 and 4-7).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-45 are rejected under 35 U.S.C. 102(e) as being anticipated by *Brin* (US 2003/0001890 A1).**

Claims 1, 22 and 34:

Brin discloses a system and method for interactive communication among a plurality of users. Brin teaches that the system enables users to perceive and participate in a multiple real-world conversational characteristics, such as proximity and orientation of a listener, emphasis by a speaker, importance of a speaker, reputation of a speaker, filtering conversations, etc. The system detects multiple communication interactions among the individuals present in the environment and maintain an interest thread for each communication interaction (abstract; p. 1, pg. 0011-p. 2; pg. 0012-0019, 0028; p. 3, pg. 0033). The system captures a set of media data for each interest thread and combines it in response to the activities of a subset of the individuals associated with the interest thread (p. 4, pg. 0065-0069, 0074-0075; p. 5, pg. 0076-0082; figs. 5, 7, 14, 15).

Claims 2, 23 and 35:

See claim 1. Brin teaches selection of a subset of sensing and rendering components for use for each interest thread (p. 4, pg. 0065-0069, 0074-0075; p. 5, pg. 0076-0082; figs. 5, 7, 14, 15).

Claims 3, 24 and 36:

Brin teaches speech levels of the individuals (p. 2, pg. 0012-0019).

Claims 4, 25 and 37:

Brin teaches selective filtering based on emphasis expressed by other

speakers. Brin teaches emphasis such as gesturing (p. 5, pg. 0076).

Claims 5, 18-20, 26 and 38:

Brin teaches activities including movements by the individuals (p. 2, pg. 0019, 0021, 0032; p. 5, pg. 0080, 0083; p. 8, pg. 0111).

Claims 6, 27 and 39:

Brin teaches activities including locations of the individuals (p. 6, pg. 0094).

Claims 7, 28 and 40:

Brin teaches that the system refines the media data in response to the activities of the individuals (p. 2, pg. 0013-0026, 0031, 0034).

Claims 8, 29 and 41:

Brin teaches history of the communication interactions (p. 11, pg. 0157; p. 12, pg. 0172).

Claim 9:

Brin teaches communication interaction pertaining to an artifact in the rich media environment (p. 2, pg. 0018; p. 3, pg. 0037-0038).

Claims 10-13, 30, 31, 42 and 43:

Brin teaches that the system keeps track of each user's entry, which is displayed in conversation display spaces (writing surfaces) and updated with every entry (records a history of the space's content over time), (figs. 4B, 5A, 5B; p. 7, pg. 0099-0108).

Claims 14, 15, 32, 33, 44 and 45:

See claim 1. Brin teaches detection of multiple activities (audio, gestures, movement, etc.) and creation of interest areas for each detected activity (p. 5, pg. 0076; p. 7, pg. 0099-0108; figs. 5A-10).

Claims 16 and 17:

See claim 1. Brin teaches communication interactions among two or more individuals in two or more of the rich media environments (p. 16, pg. 0241; figs. 5A-10, 14, 15).

Claim 21:

See claim 1. Brin teaches one or more individuals in remote locations (p. 1, pg. 0004-0006).

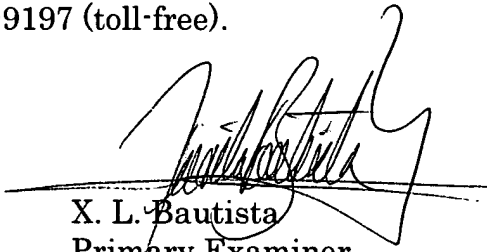
Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to X. L. Bautista whose telephone number is (571) 272-4132. The examiner can normally be reached on Monday-Thursday 8:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-

273-8300.

5. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



X. L. Bautista
Primary Examiner
Art Unit 2179

xlb
March 3, 2006